

KATHLEEN A. LEAVITT
CHAPTER 13 STANDING TRUSTEE
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E-FILED:12/08/2009

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

IN RE:
DONNA BRUMFIELD

CASE NO: BKS-09-29892-BAM

CHAPTER 13

Hearing Date: January 14, 2010

Hearing Time: 1:30 pm

BARRY LEVINSON
Attorney for the Debtor

**TRUSTEE'S OPPOSITION TO CONFIRMATION OF Plan #1
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Kathleen A. Leavitt, hereby objects to confirmation of Plan and hereby represents the following:

The Debtor(s) filed for Chapter 13 relief on 10/21/2009. The 341(a) Meeting of Creditors held on December 08, 2009 at 3:00 pm was:

- Concluded

The Trustee objects to confirmation of the Chapter 13 Plan for the following reason(s):

- Debtor(s) failed to commence Plan payments [11USC § 1326 (a) (1)]
- Debtor(s) are delinquent in Plan payments
- Plan is not feasible [11USC § 1322] due to claim(s) filed by: Mortgage arrears are not provided for in Plan
- Other: Need Motion to Value Collateral
 - Bank Statements for the following periods: Nevada Federal CU #1495: 10/1/09 through 10/20/09.
 - Verification of Need Affidavit from Cousin regarding \$500 monthly contribution to household.
 - Amendment to Voluntary Petition: Need to include the previous bankruptcy.
 - Amendment to Plan: Need to correct tax years.
 - Amendment to Schedule B. Personal Property: Need to indicate the Suburban as a surrender.

THEREFORE, the Trustee objects to confirmation for the foregoing reasons and recommends that this case be dismissed and that the Trustee be allowed administrative expenses in the amount of \$150.00.

Dated: 12/08/2009

/s/Kathleen A. Leavitt

Kathleen A. Leavitt
Chapter 13 Trustee